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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,319	01/26/2004	Vikram Madan	5486-0174PUS1	1220
67321 7590 09/11/2007 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			EXAMINER LEWIS, ALICIA M	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 09/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/766,319

Applicant(s)

MADAN ET AL.

Examiner

Alicia M. Lewis

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10, 11, 15-18 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 15-18 and 20-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to the Request for Continued Examination (RCE) filed June 20, 2007. Claims 10, 11 and 15-18 are currently amended, claims 12-14 and 19 are canceled, and claims 20-26 have been added. Therefore claims 10, 11, 15-18 and 20-26 are pending in this application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 17 recites the limitation "the stored content" in line 3. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 18 recites the limitation "the stored content" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10, 15, 16, 18 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harui (US Patent 6,690,394 B1) in view of Browne et al. (US 2004/0135815 A1) ('Browne').

With respect to claim 10, Harui teaches a method for obtaining context information comprising the steps of:

receiving a selection of an on-screen region of display, one or more graphical elements being displayed in the selected on-screen region (column 3 line 66 – column 4 line 1);

determining one or more graphical elements associated with the selected on-screen region (column 4 lines 4-7);

capturing data for displaying the one or more graphical elements (column 4 lines 4-7), and storing the captured data (column 1 lines 59-63);

obtaining context information for the one or more graphical elements from at least one of the following:

identifying the date on which the image pixels are captured,

identifying a user responsible for selecting the on-screen region,

receiving a user annotation of the selected on-screen region (column 4 lines 23-26),

performing text recognition on the captured data (column 5 lines 63-67),

and

querying an application causing the one or more graphical elements to be displayed when executed in the computer-based system; and
storing the context information (column 8 lines 53-55).

Harui does not explicitly teach image pixels or storing the captured image pixels in an image file.

Browne teaches a method and apparatus for image metadata entry (see abstract), in which he teaches capturing image pixels for displaying the one or more graphical elements, and storing the captured image pixels in an image file (paragraphs 4-5, 11 and 173).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Harui by the teaching of Browne because storing the captured image pixels in an image file would enable an easy and efficient method of classifying and storing digital images associated with the web pages of Harui (Browne, paragraph 14).

With respect to claim 15, Harui as modified teaches creating and storing a linking structure as the association between the image file and the context information (Browne, Figure 12, paragraph 136).

With respect to claim 16, Harui as modified teaches storing an association between the stored context information and the image file (Harui, column 8 lines 53-55; Browne, paragraph 117).

With respect to claim 18, Harui as modified teaches wherein the linking structure includes at least one pointer pointing to the stored image file or the stored content information (Browne, paragraph 136).

With respect to claim 20, Harui as modified teaches wherein the context information is stored in such a manner as to be accessible to a user for performing at least one of the following:

- searching for said image file (Browne, paragraphs 61-65 and 125),
- displaying the context information simultaneously with the captured image pixels,
- and
- navigating a network to a source of the captured image pixels.

With respect to claim 21, Harui as modified teaches wherein the one or more graphical elements comprises a first set of one or more textual characters, the method further comprising: obtaining the context information as text data obtained by performing text recognition on at least one of: the first set of one or more textual characters, and a second set of textual characters displayed in proximity with the first set (Harui, column 5 lines 54-67).

With respect to claim 22, Harui as modified teaches wherein the selected on-screen region is part of displayed textual region, and the graphical elements comprise a first set of one or more textual characters displayed in the textual region, the method further comprising: obtaining the context information based on a second set of one or more textual characters displayed in the textual region (Harui, column 5 lines 54-67).

7. Claim 11, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harui (US Patent 6,690,394 B1) in view of Browne et al. (US 2004/0135815 A1) ('Browne') as applied to claims 10, 15, 16, 18 and 20-22 above, and further in view of Oppermann et al. (US 6,334,157 B1) ('Oppermann').

With respect to claim 11, Harui as modified teaches:

determining a window associated with the selected on-screen region (column 4 lines 4-7); and

obtaining a URI property as context information (column 4 lines 23-26).

Harui does not teach retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window.

Oppermann teaches programmatically providing direct access to user interface elements of an application program (see abstract), in which he teaches:

retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window (column 25 lines 59-62, column 28 lines 33-39); and

obtaining the URI property as the context information (column 11 lines 1-9, 55-60, column 12 lines 55-60).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Harui by the teaching of Oppermann because retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window would enable accessibility aids the ability to access and manipulate user interface elements of any application program without having prior knowledge of the application program or its interface (Oppermann, column 4 lines 27-30).

With respect to claim 25, Harui as modified teaches wherein the selected on-screen region includes at least a portion of a displayed web page or document (Harui, column 3 lines 66-67), and the step d) further comprises: using an application programming interface (API) to query the application for the context information (Oppermann, column 7 lines 36-38).

With respect to claim 26, Harui as modified teaches wherein the step d) further comprises obtaining a uniform resource identifier (URI) of the web page or document as

the context information (Harui, column 4 lines 23-26), the URI being obtained as a result of the query using the API (Oppermann, column 7 lines 36-38).

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harui (US Patent 6,690,394 B1) in view of Browne et al. (US 2004/0135815 A1) ('Browne') as applied to claims 10, 15, 16, 18 and 20-22 above, and further in view of Newman (US 2003/0101156 A1).

With respect to claim 17, Harui as modified teaches claim 15.

Harui as modified does not teach wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information.

Newman teaches database systems and methods (see abstract), in which he teaches wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information (paragraph 16).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Harui by the teaching of Newman because wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information would enable additional information about image files, such as the origination device, person who created the file, and data/time the file was created, to be transmitted and stored along with the image files (Newman, paragraph 16).

9. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harui (US Patent 6,690,394 B1) in view of Browne et al. (US 2004/0135815 A1) ('Browne') as applied to claims 10, 15, 16, 18 and 20-22 above, and further in view of Holloway, JR (US 2005/0198354 A1).

With respect to claim 23, Harui as modified teaches claim 10.

Harui as modified does not teach wherein the step a) receives the selection based on movement of a stylus across the display.

Holloway, JR teaches a job site communications system (see abstract), in which he teaches wherein the step a) receives the selection based on movement of a stylus across the display (paragraphs 57 and 58).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Harui by the teaching of Holloway, JR because wherein the step a) receives the selection based on movement of a stylus across the display would enable an easy method for inputting data and selecting data, and allow Harui's delivery system to be use for performing job functions (Holloway, JR, paragraph 55).

With respect to claim 24, Harui as modified teaches:

digitizing movements of a stylus across the display in order to receive the user annotation (Holloway, JR, paragraph 62); and

obtaining the context information based on the received user annotation
(Holloway, JR, paragraphs 57 and 63).

Response to Arguments

10. Applicant's arguments with respect to claims 10, 11 and 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
August 28, 2007



SAM RIMELL
PRIMARY EXAMINER